



BAR COMMUNITY

BOARD OF GOVERNORS MARCH MEETING REVIEW

Below are highlights from the Mar. 21, 2008, meeting of the State Bar Board of Governors. To see the complete minutes, go to www.myazbar.org/AZBarInfo/BOG/BOGMinutes.cfm.

- ▶ **President's Report**—President Dan McAuliffe reported that he and President-Elect Ed Novak attended a meeting with local in-house counsel to continue the dialogue regarding a proposed rule change that would require registration of in-house counsel. He further reported that the Bar is researching Easy Trust software as a member service designed to facilitate escrow bookkeeping and trust accounting. It will be on the agenda for the next Scope and Operations meeting.
- ▶ **Executive Director's Report**—Teresa Schmid reported that Gov. Janet Napolitano and Mayor Phil Gordon proclaimed March 17 State Bar of Arizona Day. Letters of congratulations were received from President George W. Bush, various congressional legislators and sister bar associations. The Arizona House of Representatives has adopted June 4 as Wills for Heroes Day, but the Senate has not yet considered it.
- ▶ **Tucson Building**—The board ratified a resolution signed by President Dan McAuliffe to authorize Teresa J. Schmid, Executive Director, to sign the closing papers on the purchase of the Tucson Building. The Finance Committee requested that the board ratify the \$150,000 budget for renovations of the Tucson facility. Scope and Operations had approved this amount in June 2007 but due to an oversight had not been ratified by the Board of Governors. The board voted unanimously to ratify the \$150,000 budget for Tucson building renovations.
- ▶ **Connerly Amendment**—After

deliberation, the board first agreed that the *Keller* decision did not prohibit that body from taking a position. Then the board voted, by an overwhelming majority, for the Board to take a position opposing the proposed amendment.

- ▶ **Legislative Report**—Janna Day reported that the Probate and Trust Section decided to hold off on the vulnerable adult proposal for the time being. This week the Arizona Trust Code measure passed out of the House by a vote of 60-0 and should be heard in the Senate next week. The Guardians and Conservators measure and the Uniform Arbitration Act also passed out of the House this week by a vote of 59-0 and 55-4, respectively. HCR 2063 Accountability; Clean Election for Judges passed out of committee, and discussion on the floor is scheduled for Committee of the Whole.
- ▶ **Finance Committee/CFO Report**—Joe Kanefield reported that Client Protection Fund (CPF) Trustee Geoff Sturr made a presentation to the Finance Committee regarding the proposed changes in caps on the payouts from the CPF. The Finance Committee approved unanimously a motion to raise the per-claimant cap from \$75,000 to \$100,000, to raise the per lawyer cap from \$150,000 to \$250,000 and in extraordinary circumstances to allow the Trustees to exceed the caps upon the unanimous vote of all Trustees.
 - ▶ The Finance Committee approved a \$1,000 Platinum Sponsorship to the Arizona Asian American Bar Association's Annual Scholarship Award and Installation Banquet to be held April 10, 2008.
 - ▶ Larry McVey commented on

the January 2008 financial statements included in the board materials. The bottom-line surplus for January is \$21,000. The Bar's financial position remains strong, with net assets of \$6.1 million in January 2008 compared to \$5.67 million the prior year.

- ▶ **Rules Committee Report**—Amelia Craig Cramer, Chair, reported on four action items from committee, and the board approved the committee's recommendations, and voted to take the following actions:
 - ▶ File a Supplement to Petition R-07-0014 proposed by the Appellate Practice Section to include Motions for Reconsideration among those as to which length is to be determined by word count, rather than number of pages.
 - ▶ File a Comment proposed by the Civil Practice & Procedure Committee concerning Petition R-07-0027 to Adopt Rule Governing Application to Transfer Structured Settlement Payment Rights. (John Rogers presented a proposed comment concerning Judge Edward Burke's petition regarding transfers of structured settlement payments, and the Board voted to submit a comment asking the Court to impose specific requirements on the payee, including a requirement that the payee disclose his or her reasons for the proposed transfer and the payee's plans for using the proceeds from the transfer.)
 - ▶ File a Comment proposed by the Civil Practice & Procedure Committee concerning Petition R-08-0008 to Amend Rules of Civil Procedure 8(h) and 84 concerning civil cover sheets, asking the Court to delegate

to the Administrative Office of the Courts the responsibility for establishing a uniform civil cover sheet form.

- ▶ File a Comment proposed by the Civil Practice & Procedure Committee concerning Petition R-08-0002 to Amend Various Rules of Procedure Relating to Jurors. (This proposed comment was supported by the Criminal Practice & Procedure Committee.)
As an information item, Ms. Cramer introduced a Proposed Comment, initiated in the Criminal Practice and Procedure Committee and which came up through the Rules Committee, concerning Petition R-08-0007 to Amend Rule 16.1(b) and 16.4 of the Rules of Criminal Procedure. This item will be voted on in April.
- ▶ **Appointments**—Alan Bayham, Chair, reported that the Conflict Case Committee has six openings. Four of the six openings are held by incumbents seeking reappointment, and the Committee voted unanimously for reappointment. For the two additional openings, the Committee recommended Rosemary Marquez and Jana Flagler. The board approved the slate as presented.
 - ▶ Mr. Bayham reported that interviews have been scheduled with five applicants for the public member position on the Board.
- ▶ **Discipline Oversight Committee**—Ed Novak, Chair, reported that at its next meeting the board will be asked to vote on comments of the State Bar of Arizona regarding a petition to amend ER 1.5 of the Arizona Rules of Professional Conduct to change the language with respect to contingent fees agreement and a petition to amend ER 1.6, Rule 42, ARIZ.R.S.Ct., which would

have the confidentiality information rule changed to follow the model rule.

- ▶ **Diversity Report**—I. Godwin Otu, Diversity Director, reported that only three sessions of the Bar Leadership Institute remain. June 6 is the deadline for applications for the second class.
- ▶ **Other News**
 - ▶ C. Brad Vynalek, the Young Lawyers Division Delegate to the ABA House of Delegates, reported that 30 new policies were approved, including support for legal services. He reported that Carolyn B. Lamm of White & Case LLP was elected in mid-February as president-elect nominee of the American Bar Association. The focus of ABA Day will be on two priorities: Legal Services Corporation funding and the attorney–client privilege.
 - ▶ Ruth Khalsa, the Arizona Women Lawyers Association representative to the Board of Governors, reported on three upcoming events: the Maricopa Monthly Luncheon, with a New Rules Trivia Game, to be held on March 26 at the Arizona Club; a Webinar on April 1 geared to business development for women attorneys; and the annual wine and cheese party, to be held on April 4 at the University of Arizona Women’s Plaza of Honors.
 - ▶ Abbe Goncharsky, President of the Young Lawyers Division, reported that the division is gearing up for elections. Mike Mason is president-elect, and he will be assuming her seat at the July retreat.
 - ▶ At the request of the Finance Committee, two people addressed the Board of Governors on behalf of the O’Connor House Project. State Historic Preservation Officer James Garrison and Project Executive Committee Chair Elva Coor appealed to the Board for a donation to the project. The former home of Supreme Court Justice Sandra Day O’Connor is being relocated to property just west of the Arizona Historical Society in Tempe and will be used as a place where groups can gather to gain consensus on various issues. They are hoping to gain national historic status for the house. The Finance Committee is considering the request and will present their recommendation to the Board for a vote.
 - ▶ President McAuliffe congratulated John Furlong, Amelia Craig Cramer and Larry McVey on their work securing the purchase of the new Tucson building.
- ▶ **Meeting Schedule**—The full schedule is posted on the Bar’s Web site: www.myazbar.org/AZBarInfo/BOG/BoardofGovernors.cfm

Mark Your Calendar
CLE OPPORTUNITIES
ABOUND

- SPECIAL..... July 16-19**
(15 MCLE hours, including 3 hours ethics)
CLE by the Sea
Ethics, Criminal, Trial, Business, Family Law
Hotel Del Coronado, San Diego
- June 5.....11:00 a.m. to 2:15 p.m.**
(3 MCLE ethics hours)
Ethical Trends Today
Webcast
(State Bar Boardroom or via the Internet)
- June 6.....9:00 a.m. to 4:30 p.m.**
(6.75 MCLE hours, including 1 hour ethics)
2008 Land Use Update
Orange Tree Golf Resort, Scottsdale
- June 12.....9:00 a.m. to 12:15 p.m.**
(3 MCLE ethics hours)
The Integrity Zone
(with national speaker Bud Krogh)
Orange Tree Golf Resort, Scottsdale
- June 121:00 p.m. to 4:15 p.m.**
(3 MCLE hours)
Landlord-Tenant Law
The Manning House, Tucson
- June 13.....9:00 a.m. to 12:15 p.m.**
(3 MCLE ethics hours)
The Ethics Show
Orange Tree Golf Resort, Scottsdale
- June 20.....9:00 a.m. to 4:30 p.m.**
(6.0 MCLE hours, including 2 hours ethics)
Employment Law Issues
Orange Tree Golf Resort, Scottsdale
- June 241:30 p.m. to 4:45 p.m.**
(3 MCLE hours)
T.V. Legal
Sheraton Tucson Hotel & Suites
- June 26.....8:30 a.m. to 5:00 p.m.**
(6 MCLE hours)
Ins and Outs of Foreclosure
Orange Tree Golf Resort, Scottsdale
- June 27 and 30**
Last Chance: Phoenix, Tucson and Flagstaff
Various programs to select

Visit www.myazbar.org/CLE to view the expanded list of interactive online courses and extensive assortment of video and audio self-study products. Times are subject to change, so check online for details.



Anne Chapman has joined **Osborn Maledon PA** and practices in criminal defense and commercial litigation.



Cheifetz Iannitelli Marcolini PC announced that three attorneys have joined the firm. **Jim Belanger** joins as Of Counsel and practices white-collar criminal defense and government investigations. Senior associate **Jamie Eisenfeld** practices real estate and business law, and associate **Scott Bennett** focuses on criminal defense and administrative proceedings.

Shughart Thomson & Kilroy PC announced that **Rob Dyer** and **Wayne DuCharme** have joined the firm. Dyer joined as shareholder and DuCharme as Of Counsel in the firm's construction law practice.

Julie A. Simer has joined the health care practice at **Enterprise Counsel Group**, based in Irvine, Calif.



Nathan C. Wright, Sarah L. Wright and Mark E. Yonan have formed the boutique firm **Wright & Yonan PLLC**, located at 1050 E. River Road, Suite 202, Tucson, AZ 85718. The firm handles business law, commercial litigation, family law, commercial finance, mediation and real estate matters.

Marissa Fay Watson joined **Faith Ledyard Nickel & Shelsky PLC** as an associate and focuses her practice on estate planning, guardianships and adoptions.



Scott B. Cohen has joined **Engelman Berger PC** as partner in the firm's debtor-creditor and bankruptcy practices.

HONORS & AWARDS

Attorney **Lynda C. Shely** is the new president of the **Scottsdale Bar Association**. She is the former Director of Lawyer Ethics for the State Bar of Arizona and now operates The Shely Firm, PC, providing a variety of ethics, profes-

PEOPLE

sional responsibility and risk management services to Arizona lawyers and firms.



The **International Import Export Institute** has certified Snell & Wilmer associate **Brett Johnson** a U.S. Export Compliance Officer.

Bennett Evan Cooper, a partner with Steptoe & Johnson LLP, was named chair-elect of the American Bar Association's **Council of Appellate Lawyers**.

Maricopa County Superior Court Presiding Judge **Barbara Rodriguez Mundell** received the 2008 Racial Justice Leader Award from the **YWCA of Maricopa County** for her commitment to diversity, equality and fair and impartial justice.



Leonardo Loo, an attorney with Fennemore Craig, was elected to the board of the **Victoria Foundation**, a local development organization focusing on the Latino community.



Sandra Creta, an attorney with Quarles & Brady LLP, received the **Guardianship Attorney of the Year Award** from the Volunteer Lawyers Program, recognizing her exceptional pro bono service.

Luis Ochoa, an attorney with Quarles & Brady LLP, was appointed to a five-year term on the **University of Arizona's Intercollegiate Athletics Committee**.



Blanca Quintero has been named managing partner at **Cozen O'Connor**, a firm based in San Diego, and concentrates her practice on subrogation and recovery.

C. Christine Burns, an attorney with Quarles & Brady LLP, was selected to serve on the **University of Arizona James E. Rogers College of Law Board of Visitors**.



Karen Dickinson, a partner with Quarles & Brady LLP, has been named chair of the **Arizona District Export Council**, a nonprofit council that provides advice to Arizona businesses looking to expand internationally.



Mesch Clark & Rothschild shareholder **Mel Cohen** has been elected to the board of **Reading Seed Inc.**, a children's literacy program that operates in Pima County.



Lewis and Roca LLP partner **John Rawicz** was named to the board of trustees for the **Arizona Theatre Company**.

PEOPLE

Julie A. Pace and **David A. Selden**, partners at Ballard Spahr Andrews & Ingersoll LLP, are co-editors-in-chief of the *2008 Arizona Human Resources Manual*, issued by the Arizona Chamber of Commerce.

RECENTLY DECEASED

Conrad Baran, Holbrook, Ariz.

Forrest N. Barr, Phoenix

Marc Budoff, Phoenix

Arthur Jerry Davich, Peoria

Alpheus Favour, Prescott

John Paul Ferlazzo, Flagstaff

Carl E. Flick, North Las Vegas, Nev.

Thomas A. Flynn, Sun City, Ariz.

Frank L. Gibson, Phoenix

Richard R. Greenfield, Phoenix

James H. Harries, Overgaard, Ariz.

Robert J. Hooker, Tucson

Norval William Jasper, Tucson

Irwin Klepper, Tucson

Sherman O. Parrett, Cape Coral, Fla.

Anita Wightman Pitroff, Sierra Vista

M. Greg Setlow, Gilbert

M. Josephine Sotelo, Yuma

Anne L. Wall, Allentown, Penn.

People Item Submissions:

Members are invited to send items for the People column to

arizona.attorney@azbar.org

or to

**Tim Eigo, Arizona Attorney,
4201 N. 24th St., Ste. 200,
Phoenix, AZ 85016.**

Items run free of charge, but because we receive many submissions, we cannot guarantee when an item will run. If you also send a photo, we may use it, depending on that month's space and the photo quality (high-resolution required). If you need to guarantee when your item is published and how it appears, please contact Kate Cortez (Kate.Cortez@staff.azbar.org) about paid advertisement at member rates.